

Assembly Bill No. 2106

CHAPTER 64

An act to add Section 787 to the Penal Code, relating to jurisdiction, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 20, 2002. Filed with
Secretary of State June 21, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2106, Bogh. Jurisdiction.

Generally, jurisdiction over an offense is in the jurisdictional territory where it occurs. Existing law provides that the jurisdiction for an offense committed in part in 2 different jurisdictional territories is in any competent court of either jurisdictional territory. For certain specified theft-related crimes involving property moved among jurisdictions territories, jurisdiction lies in any of those territories. For crimes of domestic and sexual abuse, where the defendant and victim are the same and the offenses occur in several jurisdictional territories, jurisdiction lies in each of those territories. Existing law provides for other special jurisdictional determinations involving treason, incest, bigamy, and other offenses without clear territorial connection, or with connections to multiple territories.

This bill would provide for territorial jurisdiction over charged violations of specified provisions relating to weapons of mass destruction in the courts of any of the territories in which any one of the offenses occurred, if the offenses are part of a single scheme or terrorist attack.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 787 is added to the Penal Code, to read:

787. When multiple offenses punishable under one or more of Sections 11418, 11418.5, and 11419 occur in more than one jurisdictional territory, and the offenses are part of a single scheme or terrorist attack, the jurisdiction of any of those offenses is in any jurisdiction where at least one of those offenses occurred.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of

Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

To properly prosecute terrorism, which poses an immediate and ongoing threat to the safety of this state and its citizens, it is necessary that this act go into immediate effect.

